

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BUCK'S, INC., A NEBRASKA  
CORPORATION,

Plaintiff and  
Counterclaim  
Defendant,

vs.

QUIKTRIP CORPORATION, AN  
OKLAHOMA CORPORATION,

Defendant and  
Counterclaimant.

8:15-CV-340

ORDER

This matter is before the Court on its own motion, regarding issues submitted to the Court for disposition and post-trial motions (if any).

Pursuant to the parties' pleadings and the pretrial order, some of the parties' claims were to be decided by the Court, rather than the jury. *See* [filing 78 at 2](#). The Court is uncertain to what extent the parties intend to pursue those claims in light of the trial proceedings and jury verdict. The Court is also uncertain whether the parties intend to file post-trial motions pursuant to Fed. R. Civ. P. 50 or Fed. R. Civ. P. 59 or, if so, whether they intend to do so after judgment is entered, or whether they would prefer motions relating to the jury's verdict to be addressed by the Court before entry of final judgment.

Accordingly, the parties may (but are not required to) file post-trial briefs in support of any claims tried to the Court on which they believe judgment in their favor is warranted. The parties are advised that any issues for the Court that are not asserted in a post-trial brief will be considered abandoned, and that in the absence of any post-trial motions or briefing, the Court will enter judgment on the jury verdict.


IT IS ORDERED:

1. Renewed Rule 50 motions and Rule 59 motions (if any) to be decided before entry of judgment shall be filed on or before February 24, 2017.

2. Post-trial briefs in support of the parties' remaining claims (which are not required) may be filed on or before February 24, 2017.
3. The parties may respond to one another's post-trial briefs (if any) on or before March 10, 2017.
4. In the absence of any timely post-trial motions or briefing, the Court may enter judgment on the jury's verdict without further notice.
5. The Clerk of the Court is directed to enter a case management deadline for February 24, 2017, with the following docket text: check for post-trial motions or briefing and entry of judgment.

Dated this 10th day of February, 2017.

BY THE COURT:

  
\_\_\_\_\_  
John M. Gerrard  
United States District Judge